12/12/07

**HIGH COURT OF CHHATTISGARH AT BILASPUR**
**DIVISION BENCH**

**CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &**
**HON'BLE SHRI SATISH K. AGNIHOTRI, J.**

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**Writ Appeal No. 303 of 2007**

**Appellant** : Smt. Nalini Sori, W/o. Shri Sonaram Sori, aged about 54 years. District Programme Officer, Women & Child Welfare Department, Dantewada, District Dantewada (C.G.)

**Versus**

**Respondents**

1. State of Chhattisgarh, Through : The Secretary, Women & Child Welfare Department, Mantralaya, Raipur (C.G.)
2. The Director, Women & Child Welfare Department, Directorate, Raipur (C.G.)
3. Smt. Prafull Dubey, District Programme Officer, Women & Child Welfare Department, Dantewada (C.G.)

Writ Appeal under Section 2(1) of the C.G. High Court (Appeal to Division Bench) Act 2006

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Present : Shri Prafull Bharat, counsel for the appellant.
Shri G.D. Waswani, Government Advocate for the State.

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**ORAL JUDGMENT**
**(Passed on 07th December, 2007)**

The following oral judgment of the Court was passed by **Hon'ble Jagdish Bhalla, Ag. C.J.**

The application dated 06-12-2007 for amendment is allowed. Let the correction be carried out during the course of the day.

The appellant/petitioner has been transferred on the administrative grounds. Aggrieved by the same, the appellant filed

Writ Petition (S) No.6955/2007. After hearing learned counsel for the parties the petition was dismissed on the ground that neither there is any violation of law nor any case of strong *malafide*.

Learned counsel for the appellant submits that the appellant has been transferred only for the reason i.e. to adjust respondent No.3. In this respect, the appellant has drawn our attention to the fact that the appellant was already working on the post of District Programme Officer, however, respondent No.3 was working on the lower post at the relevant time and she was promoted to the post of District Programme Officer, whereas only one of District Programme Officer can be posted. Therefore, to adjust Respondent No.3 the appellant has been transferred and respondent No.3 has been made as District Programme Officer.

The relevant record has been placed before us which indicates that the appellant has been transferred on the administrative ground and not to adjust respondent No.3. In the light of above, we do not find any reasonable ground to show interference in the speaking order passed by the learned Single Judge. Therefore, the writ appeal is dismissed.

**Sd/-**
**Ag. Chief Justice**

**Sd/-**
**Satish K. Agnihotri**
**Judge**

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